

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

JONATHAN M. GOULD,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:21-cv-001187 RLW
	)	
UNITED BROTHERHOOD OF CARPENTERS	)	
AND JOINERS OF AMERICA,	)	
	)	
and	)	
	)	
DOUGLAS J. MCCARRON,	)	
	)	
Defendants.	)	

**STATEMENT OF UNCONTROVERTED MATERIAL FACTS  
IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

COME NOW Defendants United Brotherhood of Carpenters and Joiners of America (“UBC”) and Douglas J. McCarron (collectively “Defendants”), by and through the undersigned counsel, and file the following Statement of Uncontroverted Material Facts in Support of Motion for Summary Judgment:

**UNCONTROVERTED MATERIAL FACTS**

1. Gould is a former member of the St. Louis-Kansas City Carpenters’ Regional Council (“St. Louis-Kansas City Council”) and a current member of the UBC and Mid-America Carpenters Regional Council (“Mid-America Council”). *See* Complaint; *see also* Declaration of Douglas J. McCarron in Support of Motion for Summary Judgment, attached hereto as Exhibit A ¶ 8.

2. The UBC, including its affiliated councils, local unions, and members, is governed under the authority of the Constitution of the United Brotherhood of Carpenters and Joiners of

America and Rules for Subordinate Bodies Under its Jurisdiction (“UBC Constitution”). *Id.* ¶¶ 5-6. The UBC is an international labor organization headquartered in Washington, D.C. *Id.* ¶ 4. Douglas J. McCarron is the duly elected General President of the UBC. *Id.* at ¶ 3.

3. Section 6-A of the UBC Constitution provides, in relevant part, that the UBC may “in the discretion of the General President subject to appeal to the General Executive Board, where the General President finds that it is in the best interests of the United Brotherhood and its members, locally or at large, . . . to merge or consolidate Local Unions or Councils”. *Id.* ¶ 5; Ex. A1 § 6-A.

4. Section 6-A further provides that, upon a merger, “[t]he vested rights of the members shall be preserved” and the “General President and General Executive Board shall preserve the membership rights of the members of affected Local Unions, including their right to attend and participate in meetings, to vote, to nominate candidates and to be nominated and run for office.” Ex. A ¶ 5; Ex. A1 § 6-A.

5. Section 30-A provides that, “[i]f, at any time, a Local Union, Council or other subordinate body should withdraw, lapse, dissolve, be suspended or expelled, or otherwise cease to function as a subordinate body of the United Brotherhood, all Property, Books Charter and Funds held by, or in the name of, or on behalf of said Local Union or other subordinate body must be forwarded immediately to the General Secretary-Treasurer for such use or disposition in the interests of the membership of the United Brotherhood as the General President in the exercise of his or her discretion may direct or to such Local union(s) or Council(s) as the General President in the exercise of his or her discretion may direct.” Ex. A ¶ 5; Ex. A1 § 30-A.

6. Section 53-H provides that “[a]ll appeals from decisions of the General President or the Appeals Committee to the General Executive Board must be filed with the General

Secretary-Treasurer within thirty (30) days from the date of receipt of the General President's decision". Ex. A ¶ 5; Ex. A1 § 53-H.

7. Section 53-J provides that "[a]ll members and all Local Unions and Councils are required to exhaust the administrative remedies provided in this Section before commencing proceedings in any court or any agency provided by law." Ex. A ¶ 5; Ex. A1 § 53-J.

8. The former St. Louis-Kansas City Council was a council governed by the UBC Constitution. *See* Ex. A ¶ 7.

9. The Mid-America Council is a council governed by the UBC Constitution. *Id.*

10. On September 24, 2021, General President of the UBC, Douglas McCarron, directed that, effective September 27, 2021, the (1) the St. Louis-Kansas City Council be dissolved and its geographical and trade jurisdiction be assigned to the Chicago Council; and (2) the Reaffiliated Local Unions, that is the Local Unions that had been affiliated with the now-former St. Louis-Kanas City Council, became affiliated with the Chicago Regional Council of Carpenters ("Chicago Council"), which is now known as the Mid-America Council ("September 2021 Restructuring Order"). *Id.* ¶¶ 11-12. The September 2021 Restructuring Order also reminded all officers and members of the affected Local Unions and Councils of their duties and obligations under the UBC Constitution and the LMRDA. *Id.* ¶ 15.

11. The action taken by General President McCarron in the September 2021 Restructuring Order was subject to appeal to the UBC General Executive Board by any member of the UBC, including Gould, pursuant to § 6A and 53H of the UBC Constitution. *Id.* ¶ 16.

12. No appeal to the UBC General Executive Board has been filed. *Id.* ¶ 17.

13. The September 2021 Restructuring Order directed that the vested rights of the members of the former St. Louis-Kansas City Council shall be preserved, including the right to vote, run for office, nominate candidates, and participate in meetings. *Id.* ¶ 13.

14. On November 17, 2021, General President McCarron directed that all the property, books, charter, and funds formerly of the St. Louis-Kansas City Council be transferred to the Mid-America Council. *Id.* ¶ 18.

15. On March 2, 2022, internal charges were brought by UBC District Vice President Mark McGriff against Al Bond, the former Executive Secretary Treasurer of the St. Louis-Kansas City Council, seeking, among other things, reimbursement for improper and unauthorized expenditures by Bond. *Id.* ¶ 20; Ex. A2.

16. On March 10, 2022, a lawsuit was commenced by the Mid-America Council against Bond, seeking reimbursement for unauthorized expenditures, Cause No. 4:22-cv-00291 SEP. *See* Cause No. 4:22-cv-00291 SEP.<sup>1</sup>

17. The UBC and the Mid-America Council have the opportunity to pursue internal union remedies against former officers of the St. Louis Kansas City Council. Exhibit A, ¶ 19.

WHEREFORE, Defendants United Brotherhood of Carpenters and Joiners of America and Douglas J. McCarron respectfully request the Court enter its order and Judgment finding Defendants entitled to judgment as a matter of law on all claims in the Complaint, and further granting any relief this Court deems just and proper.

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<sup>1</sup> The Court may take judicial notice of its files. *U.S. v. Jackson*, 640 F.2d 614, 617 (8th Cir. 1981).

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing was electronically filed with the Clerk of the Court on June 6, 2022, using the CM/ECF filing system and served to Plaintiff Jonathan M. Gould by U.S. Priority Mail at 7357 Providence Drive, Edwardsville, Illinois 62025.

/s/ Robert D. Blitz